

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

ANGELA GONNEVILLE, individually  
and on behalf of all others similarly  
situated,

Plaintiff,

v.

LENS.COM, INC.,

Defendant.

Civ. A. No. 1:24-cv-11110

**JOINT STATEMENT PURSUANT TO L.R. 16.1**

The parties submit this joint statement pursuant to Fed. R. Civ. P. 26(f) and L.R. 16.1(d).

**A. Proposed Pretrial Schedule and Discovery Plan.**

1. The parties propose that discovery should begin after the Court rules on the pending motion to dismiss, and therefore the proposed schedule is keyed to the date of the Court's decision on that motion. The defendant intends to file a motion to dismiss on June 5, 2024. The plaintiff intends to file its opposition to the motion to dismiss on or before July 5, 2024. The defendant intends to file a reply on or before July 12, 2024.

2. Initial disclosures required by Fed. R. Civ. P. 26(a)(1) must be completed within 30 days after the Court rules on the defendant's motion to dismiss.

3. Except for good cause shown, no motions seeking leave to add new parties or to amend the pleadings to assert new claims or defenses may be filed more than 60 days after the Court rules on the defendant's motion to dismiss.

4. All discovery other than expert discovery, including written discovery and depositions, must be completed within 12 months after the Court rules on the defendant's motion to dismiss.

5. The parties request that a status conference be held on a date set by the court towards the end of fact discovery.

6. Expert witnesses must be designated, and the information contemplated by Fed. R. Civ. P. 26(a)(2) must be disclosed within 14 months after the Court rules on the defendant's motion to dismiss. Rebuttal expert disclosures must be made within 15 months after the Court rules on the defendant's motion to dismiss.

7. The plaintiff intends to file a motion for class certification within 16 months after the Court rules on the defendant's motion to dismiss.

8. Dispositive motions must be filed within 3 months after the Court rules on any motion for class certification.

9. An initial pretrial conference will be held on a date set by the Court.

**B. Statement Concerning Trial by Magistrate Judge.**

The parties do not consent to trial by magistrate judge.

**C. Certifications.**

The parties' L.R. 16.1(d)(3) certifications will be filed separately.

Respectfully submitted,

ANGELA GONNEVILLE, individually and  
on behalf of all others similarly situated

By her attorneys:

*/s/ Carlin J. Phillips*

Carlin Phillips (BBO No. 561916)  
Andrew J. Garcia (BBO No. 559084)  
PHILLIPS & GARCIA, P.C.  
13 Ventura Dr.  
North Dartmouth, Mass. 02747  
(508) 998-0800  
[cphillips@phillipsgarcia.com](mailto:cphillips@phillipsgarcia.com)

LENS.COM, INC.

By its attorneys:

*/s/ Theodore J. Folkman*

Theodore J. Folkman (BBO No. 647642)  
RUBIN AND RUDMAN LLP  
53 State St.  
Boston, Mass. 02109  
(617) 330-7135  
[tfolkman@rubinrudman.com](mailto:tfolkman@rubinrudman.com)

Mark Bettilyon (pro hac vice)  
Jed Hansen (pro hac vice)  
THORPE NORTH & WESTERN, LLP  
175 S. Main Street, Suite 900  
Salt Lake City, Utah 84111  
(801) 566-6633  
[mark.bettilyon@tnw.com](mailto:mark.bettilyon@tnw.com)